

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

BRANDON W. LEIGH	:	Case No. 3:24-cv-192
	:	
Petitioner,	:	
	:	
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Elizabeth P. Deavers
WARDEN, LONDON	:	
CORRECTIONAL INSTITUTION,	:	
	:	
Respondent.	:	
	:	

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**ENTRY AND ORDER ADOPTING REPORT AND RECOMMENDATION  
(DOC. NO. 2)**

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This case is currently before the Court on the Report and Recommendation (“Report”) (Doc. No. 2) issued by Magistrate Judge Elizabeth P. Deavers. In the Report, Magistrate Judge Deavers recommends that petitioner’s Motion for Leave to Proceed *in forma pauperis* (Doc. No. 1) be denied and that petitioner be ordered to pay the Court’s \$5.00 filing fee within 30 days of any order adopting the Report. (Doc. No. 2 at PageID 17.)

As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the Court has made a *de novo* review of the record in this case. Noting that no objections to Magistrate Judge Deavers’ Report have been filed and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court hereby **ADOPTS** the Report and Recommendation (Doc. No. 2).

It is therefore **ORDERED** that:

1. Petitioner’s Motion for Leave to Proceed *in forma pauperis* (Doc. No. 1) is **DENIED**; and
2. Petitioner shall pay the \$5.00 filing fee within **30 days** of this Entry and Order; and

3. Petitioner is placed on **NOTICE** that if he fails to timely pay the full filing fee, this case may be dismissed for failure to prosecute. *See Fed. R. Civ. P. 41(b); see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962).

**DONE** and **ORDERED** in Dayton, Ohio, this Friday, August 2, 2024.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE